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Paper No. 10

Standley & Gilchrest LLP  
495 Metro Place South  
Suite 210  
Dublin, OH 43017

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**OFFICE OF PETITIONS**

In re Application of  
Rizzoni et al.  
Application No. 10/039,634  
Filed: November 9, 2001  
Attorney Docket No.OSU1159-143C

:  
: DECISION NOTING JOINDER OF  
: INVENTOR AND PETITION UNDER  
: 37 CFR 1.47(a) MOOT  
:

Papers filed on September 9, 2002, included a Declaration signed by a previously non-signing inventor in compliance with 37 CFR 1.63.

On July 22, 2002, a petition under 37 CFR 1.47(a) was filed. A decision dismissing the petition was mailed on September 16, 2002. However, the instant paper had previously been filed but not matched with the file. Therefore, the decision mailed on September 16, 2002 is vacated.

In view of the joinder of the inventor, further consideration under Rule 1.47(a) is moot; this application does not have any Rule 1.47 status and no such status should appear on the file wrapper. This application need not be returned to this Office for any further consideration under Rule 1.47(a).

For the above reasons, the petition under 37 CFR 1.47 is **dismissed as moot**.

This application is being returned to the the Office of Initial Patent Examination to complete processing of the application.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (703) 306-5683.

Charles Steven Brantley  
Petitions Attorney  
Office of Petitions